



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Examiner: Unassigned
• •) Art Unit: <u>2122</u>
Mukesh K. Patel, et al.)
Application No.: <u>09/938,886</u>) FIRST CLASS CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a)) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Commissioner for Patents, P.O. Box 1450,
Filing Date: August 24, 2001) Alexandria, VA 22313-1450 on:
For: JAVA VIRTUAL MACHINE HARDWARE FOR RISC AND	October 3, 2003 (Date of Deposit)
CISC PROCESSORS	Karen L. Kuhner
	(Name of Person Mailing Correspondence)
) James Jahrer 10-3-2003
	(Signature) (Date)

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PETITION TO MAKE SPECIAL

Examiner:

Applicants hereby petition under 37 CFR §1.102(d) to advance out of turn or expedite the processing of the above-identified patent application.

This petition is accompanied by:

1) A Statement by the Applicants as required by MPEP § 708.02, II.

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The petition fee of \$130.00 is included herewith. If there are any additional charges, please charge them to Deposit Account Number 02-2666. If a telephone conference would facilitate the processing of this petition, the Examiner is invited to contact Vani Moodley at (408) 720-8300.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

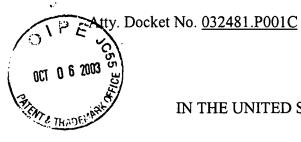
Date: October 1, 2003

James M. Salter Reg. No. 35,668

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STATEMENT UNDER MPEP § 708.02, II

Sir:

I, Mukesh K. Patel, hereby declare:

- I am an Applicant named in U.S. Patent Application No. 09/938,886, filed 1) on August 24, 2001.
- 2) I have instructed my patent attorneys, Blakely, Sokoloff, Taylor & Zafman, LLP, to file a Petition to Make Special Under 37 CFR § 1.102(d);



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- 3) I am aware of an infringing device or product actually on the market or method in use;
- 4) A rigid comparison of the alleged infringing device, product, or method with the claims of the application has been made, and in my opinion, some of the claims are unquestionably infringed; and
- 5) I have made a careful and thorough search of the prior art and have good knowledge of the pertinent prior art.

I have enclosed herewith one copy of references deemed most closely related to the subject matter encompassed by the claims.

Mukesh K. Patel

President and CEO, Nazomi Communications, Inc.

October 1st 2003